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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/935,077	08/22/2001	Kevin E. Berry	END920010035US1	8548

7590 03/24/2004

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EXAMINER

CORRIELUS, JEAN M

ART UNIT	PAPER NUMBER
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2172

DATE MAILED: 03/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/935,077

Applicant(s)

BERRY ET AL.

Examiner

Jean M Corrielus

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 August 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-55 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 5-16, 22-27, 32-54 is/are allowed.
- 6) ☒ Claim(s) 1-4, 17-21, 28-31 and 55 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Art Unit: 2172

DETAILED ACTION

This office action in response the application filed on August 22, 2001, in claims 1-55 are presented for examination.

Information Disclosure Statement

1. The information disclosure statement (IDS) filed on August 22, 2001 complies with the provisions of M.P.E.P. 609. It has been placed in the application file. The information referred to therein has been considered by the examiner.

Drawings

2. Applicants are required to furnish the formal drawings in response to this office action. No new matter may be introduced in the required drawings. Failure to timely submit a drawing will result in ABANDONMENT of the application.

Claim Objections

3. Claims 1-55 are objected to because they include reference characters, which are not enclosed within parentheses, for example DES, SAP and PCMS.

Reference characters corresponding to elements recited in the detailed description of the drawings and used in conjunction with the recitation of the same element or group of elements in the claims should be enclosed within parentheses so as to avoid confusion with other numbers or characters which may appear in the claims. See MPEP § 608.01(m).

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-4, 17-21, 28-31 and 55 are rejected under 35 U.S.C. 102(e) as being anticipated by Yin et al (hereinafter “Yin”) US patent application Publication No. 2002/0091539.

As to claim 1, Yin discloses the claimed “receiving a contract dataset by a decentralized execution system from a procurement contract management system” ([0011]; [0023]-[0025]; [0076]-[0085].); and “passing the contract dataset through a software filter ([0083]-[0085]) that determines whether to store the contract dataset or a first portion thereof in a relational database of the DES, said relational database including contract datasets, vendor datasets, and purchase item datasets” ([0097]-[0103]).

As to claim 2, Yin discloses the claimed “wherein the software filter further determines whether to store the contract dataset or a second portion thereof in a special database of the decentralized execution system” ([0011]; [0023]-[0025]; [0076]-[0085]).

As to claim 3, Yin discloses the claimed “receiving a contract dataset by a first SAP contract management system from a second SAP contract management system” ([0011]; [0023]-[0025];

Art Unit: 2172

[0076]-[0085]); and “passing the contract dataset through a software filter that determines whether to store the contract dataset or a second portion thereof in a non-SAP database of the first SAP contract management system” ([0097]-[0103]).

As to claim 4, Yin discloses the claimed “wherein the software filter further determines whether to store the contract dataset or a second portion thereof in a special database of the decentralized execution system” ([0011]; [0023]-[0025]; [0076]-[0085]).

As to claim 17, Yin discloses the claimed “having an execution document at a decentralized execution system of a procurement contract management system, said execution document being derived from a contract dataset in the DES, said execution document having an existing attribute value for a purchase item in the contract dataset ([0011]; [0023]-[0025]; [0076]-[0085], [0101]); “receiving notice at the DES from PCMS of a new attribute value that is to replace the existing item in the contract dataset” ([0020]-[0021][0025]); and “replacing the existing attribute value with the new attribute in the execution document” ([0025], [0074]), [0098]-[0099]; [0136]).

As to claim 18, Yin discloses the claimed “said existing attribute value for the purchase item being a first price of the purchase item, said new attribute value for the purchase item being a second price of the purchase item” ([0098]-[0101], [0107]-[0109], [0142]—[0144]).

As to claim 19, Yin discloses the claimed “said execution document being a purchase order” ([0101]-[0104], [0111]-[0122]).

As to claim 20, Yin discloses the claimed “said execution document being a schedule agreement whose new attribute value for the purchase item is effective upon receipt of the purchase item by a DES buyer keyed of the purchase item” ([0135]-[0137]).

As to claim 21, Yin discloses the claimed “said PCMS and said DES each being a SAP system” ([0011]-[0014]).

As to claims 28-29, the limitations of claims 28-29 have been noted in the rejection of claims 1-2 above. They are, therefore, rejected under the same rationale.

As to claims 30-31, the limitations of claims 30-31 have been noted in the rejection of claims 3-4 above. They are, therefore, rejected under the same rationale.

As to claim 55, Yin discloses the claimed “DES software selected from a group consisting of DES FILTER software, DES Update software, DES Archive software, and combinations thereof” ([0016], [0085]; fig.3; [0099]).

Allowable Subject Matter

6. Claims 5-16, 22-27, 32-43 and 49-54 are allowable over the prior art made of record.

7. The following is a statement of reasons for the indication of allowable subject matter:

Upon searching a variety of databases, the examiner respectfully submits that –determining

Art Unit: 2172

which, if any, of the N purchase items identified in the contract data group Dg match a purchase item in the purchase item datasets and determining a total number K of such purchase items in Dg that do not so match a purchase item in the purchase item datasets, said K satisfying $0 < K < N$; and if $K < N$ then

If the contract data group Dg is the contract dataset then determining whether the vendor V matches a vendor in the vendor datasets and if the vendor V so matches a vendor in the vendor datasets then adding a subset of Dg to the relational database, said subset of Dg excluding the K purchase item from Dg else

If the contract data group Dg is the contract delta dataset and Dg is keyed to a first contract dataset in the relational database then adding to the first contract dataset in relational database a remaining $N - K$ purchase items of Dg.-- in claims 5, 13, 25, 32, 40, 49 and 52 in conjunction with all other limitations of the dependent claims, are not taught nor suggested by the prior art of record. Therefore, the pending claims 5-16, 22-27, 32-43 and 49-54 are hereby allowed.

As allowable subject matter has been indicated, applicants are encouraged to submit formal drawings in response to this Office action. The early submission of drawings will permit the office to review the drawings for acceptability and to resolve any informalities remaining therein before the application is passed to issue. This will avoid possible delays in the issue process.

Any comments considered necessary by applicants must be submitted no later than the payment of the issues fee and, to avoid processing delays, should preferably accompany the issue

Art Unit: 2172

fee. Such submissions should be clearly labeled "comments on statement of reasons for allowance".

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean M. Corrielus whose telephone number is (703) 306-3035.

The examiner can normally be reached on Tuesday - Friday (7:30 am - 5:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (703)-305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jean M. Corrielus

Patent Examiner

March 18, 2004